

-- INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST --

THE UNITED STATES OF AMERICA, THE REPUBLIC OF CHINA, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, THE UNION OF THE SOVIET SOCIALIST REPUBLICS, THE COMMONWEALTH OF AUSTRALIA, CANADA, THE REPUBLIC OF FRANCE, THE KINGDOM OF THE NETHERLANDS, NEW ZEALAND, INDIA, AND THE COMMONWEALTH OF THE PHILIPPINES.

- AGAINST -

ARAKI, Sadao; DOIHARA, Kenji; HASHIMOTO, Kingoro; HATA, Shunroku; HIRANUMA, Kiichiro; HIROTA, Koki; HOSHINO, Naoki; ITAGAKI, Seishiro; KAYA, Okinori; KIDO, Koichi; KIMURA, Heitaro; KOISO, Kuniaki; MATSUI, Iwane; MATSUOKA, Yosuke; MINAMI, Jiro; MUTO, Akira; NAGANO, Osami; OKA, Takasumi; OKAWA, Shumei; OSHIMA, Hiroshi; SATO, Kenryo; SHIGEMITSU, Mamoru; SHILADA, Shigetaro; SHIRATORI, Toshio; SUZUKI, Teiichi; TOGO, Shigenori; TOJO, Hideki; UMEZU, Yoshijiro.
Defendants.

City of Washington,)
District of Columbia,) ss.
United States of America.)

I, JOSEPH CLARK GREW, being duly sworn, on oath depose and say:

I served as United States Ambassador to Japan, at Tokyo, from June 1932 until the Japanese attack on Pearl Harbor, December 7, 1941. Diplomacy has been my life work since 1904. Prior to World War I, I served in the United States Foreign Service in Egypt, Mexico, Russia, Austria-Hungary and Germany. I was counselor at the American Embassy in Berlin during World War I. In 1918 I became acting head of the Western European Division of the United States State

Department. I took part in the peace negotiations at Paris and also represented the United States during the negotiations with Turkey, at Lausanne, in 1922. I also served as Minister to Denmark and to Switzerland, as Under Secretary of State, and, just prior to my appointment to Tokyo, as Ambassador to Turkey.

The statements hereinafter set forth relate to matters which arose from time to time in connection with the carrying out of my duties at Tokyo as diplomatic representative of the American Government in Japan, and I vouch for the truth thereof.

At the time I became Ambassador to Japan, as aforesaid Japan, along with the United States and other nations, was a party to the following treaties, pacts and agreements, and others, or had subscribed to the principles therein announced:

- (1) The Convention for the Pacific Settlement of International Disputes, signed at the Hague 29 July 1899;
- (2) The Convention for the Pacific Settlement of International Disputes, signed at the Hague 18 October 1907;
- (3) The Hague Convention No. III relative to the Opening of Hostilities, signed 18 October 1907;
- (4) The agreement, signed 30 November 1908, effected by exchange of notes between the United States and Japan, declaring their policy in the Far East;
- (5) The Treaty between the British Commonwealth of Nations, France, Japan and the United States relating to their Insular possessions and Insular Dominions in the Pacific Ocean, 13 December 1921;
- (6) The so-called "Nine-Power Treaty" concluded and signed at Washington 6 February 1922;
- (7) The so-called "Kellogg-Briand Pact" concluded and signed at Paris 27 August 1928;
- (8) The Convention respecting the Rights and Duties of Neutral Powers and Persons in Wars on Land, signed at the Hague, 18 October 1907.

As a party to the above-listed treaties, pacts and agreements, and others, or as a subscriber to the principles therein announced, Japan had agreed, inter alia:

to avoid the use of force in the settlement of international differences; in case of serious disagreement or conflict to have recourse to the good offices or mediation of one or more friendly power; not to open hostilities without a declaration of war; to submit international disputes to arbitration; to respect and support the sovereignty, independence and territorial administrative integrity of China; to use its influence to effectually establish and maintain the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China; to refrain from seeking special or monopolistic privileges in China detrimental to the rights or interests of other foreign powers or their nationals; to renounce war as an instrument of national policy; not to violate the territory of neutral powers.

At the time I became Ambassador as aforesaid Japan had gained military control of Manchuria and had established there the Japanese controlled puppet state of Manchukuo. The official records of the United States Department of State with respect to the Manchurian affair, with which I had familiarized myself, indicated that Japan had pursued its course of action in Manchuria despite frequent protests by the United States and other nations that its aggressive action was in contravention of Japan's treaty obligations. The Department's official records further indicated that Japan had consistently defended its aggressive action as a purely defensive measure for the protection of Japanese nationals, and had repeatedly assured the United States Government that Japan had no territorial ambitions or intentions of disturbing the rights and interests of third parties, in China.

During all of my stay in Tokyo as United States Ambassador I repeatedly called to the attention of the Japanese Minister for Foreign Affairs, and occasionally the Japanese Prime Minister, and other responsible government officials the fact that the American Government considered the Japanese military operations in China as a violation of Japan's obligations, under various treaties and agreements hereinbefore mentioned, to respect the territorial integrity of China, to maintain the principle of the Open Door in China and to refrain from endangering the lives and interests of nationals of the United States and other powers, to refrain from the use of force in settlement of disputes, to submit disputes to arbitration and abide by results thereof. I pointed out that Japan was rapidly losing the good will of the American Government and people and of other peoples of the world by its aggressive policy and by the excesses of its military forces. The excuse given was that the military operations were purely defensive measures against Chinese bandits or Communists whom the Chinese Government was unable to control, or were for the protection of Japanese nationals and interests in China from abuses resulting from the anti-Japanese feeling deliberately aroused by the irresponsible Chinese Government. I was repeatedly assured by the officials referred to that Japan had no territorial ambitions in China, that Japan was solicitous of the rights and interests of third parties and was earnestly endeavoring to protect them and

preserve the status quo, and, up until the end of 1938, that Japan intended to preserve the principle of the Open Door in China.

I protested repeatedly against the indiscriminate bombing of non-military objectives which endangered the lives and properties of non-combatant Chinese and foreigners. A few of the more flagrant examples were the bombing and sinking of the U.S.S. Panay on the Yangtze, in which two American nationals were killed, and the machine-gunning of the small boat in which the Panay's captain and others were being taken ashore, the deliberate bombing of the U.S.S. Tutilla at Chungking, the reckless and wanton bombing of residential and business districts of Nanking after a totally inadequate warning had been given, the machine-gunning by a Japanese plane of five Americans while horseback riding within the International Settlement at Shanghai, the bombing of American owned mission property in Tungpeh in which an American national (Phoebe Nyhus) was killed, the destruction by Japanese planes of a commercial passenger plane belonging to the Chinese National Aviation Corporation (in which Pan-American Airways had a large interest) resulting in the loss of lives of a number of noncombatant passengers and the endangering of the life of the American pilot, the destruction by five Japanese planes of another properly marked Chinese Aviation Corporation commercial passenger plane, which had just landed at Chanyi,

and in which the American pilot was killed, the bombing and complete destruction of an American church at Chungking after eight previous bombings all of which had been made the subject of separate protests. The number of instances in which churches, schools and other American properties were repeatedly bombed and damaged could not but compel the conclusion that the attacks were intentional. Furthermore, in most cases the Japanese had been furnished beforehand with maps on which had been marked the locations of the properties in question. In virtually all instances the Japanese Government disclaimed responsibility on one pretext or another, claiming, among other things, that the property was too close to a military objective or was used by Chinese forces (which excuses were not justified by facts brought out by investigations), or that the bomb release mechanism in the plane apparently did not function properly, or merely that a mistake had been made.

In spite of my protests American business men and missionaries were prevented from returning promptly to Nanking even after hostilities in that area had ceased, as, for instance, when the Shanghai University property was evacuated by Japanese troops and the American missionary societies which owned the property were not permitted to immediately reoccupy it, even for the purpose of preventing its further deterioration. In refusing American nationals permission in such cases to return and resume business or

or protect and preserve their property, the excuse given was that peace and order had not been sufficiently restored. The lack of any basis for this excuse was usually illustrated by the presence of many Japanese merchants and their families in the areas in question.

On July 7, 1934 I forwarded to the Japanese Ministry for Foreign Affairs an informal memorandum regarding the establishment by the authorities in Manchuria of a discriminatory petroleum selling monopoly. Attention was invited to the fact that the cooperation and approbation of the Japanese Government in the project, which would close the door in Manchuria to sales by American oil companies of their products, would violate the principles of the Open Door, to which Japan was committed, and which it had declared it would uphold, and, further, that the proposed project would contravene the provisions of Article 3 of the Nine-Power Treaty of 1922 and the explicit provisions of the Sino-American Treaty of 1884. In a reply thereto dated August 2, 1934, the Japanese Minister for Foreign Affairs stated that since Manchukuo was an independent state the question was one concerning the American and Manchukuo Governments, and denied that contravention of any treaty obligations by Japan was involved. I again addressed an informal memorandum to the Japanese Minister for Foreign Affairs, pointing out that the project planned would unquestionably result in a monopoly prejudicial to the treaty rights of American nationals and counter to the principles of the Open

Door, and that since plans therefor were being formulated with the concurrence and cooperation of Japanese nationals, the participation of quasi-official organizations such as the South Manchuria Railway, and the assent or approval of the Japanese Government, the carrying out of the project would be in contravention of Japan's treaty obligations as well as of her unqualified assurances previously given to the American and other governments.

It was undeniable, of course, that Japan had assured maintenance of the Open Door policies in Manchuria even after the establishment of the so-called independent regime of Manchukuo, for the maintenance of those policies had been promised in the speech of Count Uchida (then Minister for Foreign Affairs) before the Diet on August 25, 1932, and in the Japanese Government's public statement of September 15, 1932, issued on the occasion of the recognition of Manchukuo. Moreover, the protocol between Japan and Manchukuo, of September 15, 1932 itself was predicated upon observance by Manchukuo of international obligations applying to that territory, as shown by the second paragraph of the Preamble of the Protocol, reading:

"Whereas Manchukuo has declared its intention of abiding by all international agreements entered into by China in so far as they are applicable to Manchukuo, * * * "

Consequently, on November 30, 1934 I delivered another memorandum to the Minister for Foreign Affairs reiterating my previous

protests at establishment of the oil monopoly in Manchuria in violation of treaty obligations and assurances to the contrary. I had a long discussion with Mr. Hirota on the subject. He remarked that Americans were free to purchase stock in the petroleum company and that, therefore, the door was not being closed to them. The fact was, however, as I informed him, that 40% of the stock had already been issued to the South Manchuria Railway, a quasi-official Japanese organization, 20% to the Government of Manchuria and 40% to four Japanese companies. Mr. Hirota said he thought we and the British were taking too legalistic an attitude. The discussion continued for half an hour, but the Minister's arguments were specious, and it was obviously impossible for me to get anywhere.

On April 10, 1935, the Japanese Minister for Foreign Affairs forwarded to me an answer to my note of November 30, 1934, on the Manchurian oil matter, which consisted of a repetition of the previous denials of Japan's responsibility for the actions of the Government of Manchukuo. I communicated the contents thereof to the American Government, and, as instructed by the Secretary of State, advised the Japanese Foreign Minister, by note dated April 15, 1935, of the American Government's refusal to recognize the contentions advanced by Japan, and of the American view that the ultimate responsibility for injury to American interests would rest upon Japan. I called on the Japanese Minister for Foreign Affairs on April 16, 1935 to point out again the American view that Japan was

violating its treaty obligations and also the assurances it had made on prior occasions (identifying them specifically) that the principles of the Open Door would be maintained. His only reply was that these assurances were conditioned upon recognition of Manchukuo by the interested powers.

On December 1, 1937 I registered with the Japanese Foreign Minister an objection to the manifesto issued by the Manchurian Government regarding extra-territorial rights of foreigners other than Japanese, and to the promulgation of a law under which an American branch bank at Harbin had been advised to prepare to register and to appoint a representative and I called attention to the fact that the extra-territorial rights of United States nationals in Manchuria were governed by treaties between the United States and China and that the law by which the Manchurian Government sought to assert jurisdiction over American nationals was in direct contravention of American treaty rights. The Foreign Minister's reply merely disclaimed any responsibility on Japan's part for the acts of the Government of Manchukuo.

As in the case of the oil monopoly in Manchuria, I protested frequently and strongly against the taking over of the Chinese Customs Administration by the Japanese at Shanghai Canton, Swatow and other places, and the revision of customs regulations to favor Japanese imports. I protested further in the case of the seizure of the Salt Tax Administration. I pointed out that large American and other foreign loans had

been secured against customs revenues and salt tax revenues and that the United States and other nations had vital financial interests in the administrative integrity of the Chinese Maritime Customs and the Salt Administration and were entitled to be consulted in connection with any change in regulations or procedure or diversion of revenues. These protests were, like all others, to no avail, the Japanese Foreign Minister and other officials claiming that the steps taken were required by military necessity and by the fact that Chinese officials would not cooperate.

Other specific instances when assurances which were later violated were given to the American Government, through me or in statements issued to the press by the Japanese Government for publication, were the following:

- (1) On April 25, 1934 the Japanese Foreign Minister (Hirota) assured me personally that Japan had no intention whatever of seeking special privileges in China, of encroaching upon the territorial and administrative integrity of China, or of creating difficulties for the bona-fide trade of other countries in China. He further stated that there was no intention or desire on the part of Japan to claim a privileged position in derogation of the rights and responsibilities to which the signatories of the Nine-Power Treaty were entitled, and that the policy of Japan was complete observance and support of the provision of the Nine-Power Treaty in every respect. I observed to him that the American Government and people would be less impressed by statements of policy than by more concrete evidence.
- (2) On September 1, 1937 the Vice-Minister for Foreign Affairs (Horinouchi), in a radio broadcast to the United States, defended Japan's actions in China on the ground of China's anti-Japanese acts and asserted that Japan's intentions were

peaceful; he stated that the ultimate object of the current hostilities in North China and Shanghai was the realization of a state permitting genuine cooperation between the two countries; and declared that the Japanese forces in China had not been sent there for aggressive purposes and that Japan had no territorial designs. Mr. Horinouchi's radio address was similar to speeches subsequently made in the diet by the Foreign Minister (Hirota) and the Prime Minister (Konoye).

- (3) On February 17, 1939, in an interview with the Minister for Foreign Affairs (Arita), I reminded him of his government's previous statements to the effect that Japan had no territorial ambitions in China; I called his attention to the recent occupation of Hainan Island by Japanese forces; and I asked for an expression as to the intentions of the Japanese Government in connection with the occupation of the island in view of the fact that there were numerous American residents and substantial American missionary and educational properties on the island. The Minister replied that the purpose of the occupation was to strengthen the blockade of the South China coast and to hasten the suppression of the Chiang Kai Shek regime; he repeated the former statements of the Japanese Government that Japan had no territorial ambitions in China and added that the occupation "will not go beyond military necessity."
- (4) On April 15, 1940 the Foreign Minister (Arita), on being questioned by newspapermen concerning Japan's position with regard to the possible involvement of the Netherlands in the European war and its repercussions in the Netherlands East Indies, stated that "the Japanese Government can not but be deeply concerned over any development accompanying an aggravation of the war in Europe that may effect the status quo of the Netherlands East Indies."

In July, 1941 the Japanese Foreign Minister assured me that Japan had not so far considered the possibility of joining the hostilities against Russia. During that month I had forwarded to the Japanese Prime Minister a memorandum

expressing the hope of the United States Government that there was no truth in the reports that Japan intended to enter upon hostilities against Russia, referring to contemporaneous statements of responsible Japanese officials that Japan desired to maintain and preserve peace in the Pacific area. The reply thereto, which came from the Japanese Foreign Minister, recited that maintenance and preservation of peace in the area of the Pacific had always been the sincere and genuine desire of the Japanese Government which had consistently contributed earnest efforts toward achieving that purpose and that Japan had not so far considered the possibility of joining the hostilities against the Soviet Union.

During 1938 the establishing of a new order in East Asia began to be mentioned. The Prime Minister and the Foreign Minister referred to the extension of the campaign in China from Manchuria to North China and thence into Central and South China and expressed the hope for the emergence of a new regime in China cooperative with Japan, repeating, however, the customary assurances of intention to continue the policies of the Open Door and to protect the rights and interests of third powers. Later the Foreign Minister indicated that the hostilities in China would go on to a finish; that no dealings would be had with General Chiang Kai-shek even if he should sue for peace; and (significantly) that since the main purpose of the campaign was to make possible economic and social cooperation of China and Japan, it was a "small

matter" whether the territory was Chinese or Japanese, and that China should be powerful enough to put itself in order before extra-territoriality and unequal treaties could be abolished in that country. Then, in November, 1938, the Japanese Foreign Office, in announcing the fall of Canton and three Wuhan cities, stated "all vital areas of China have thus fallen into our hands." No mention was made of the rights or interests of third parties, the statement merely expressing Japan's confidence that other powers would adapt their attitude to the new conditions prevailing in East Asia. The Japanese people were cautioned, however, that these victories would not bring an era of peace but rather that since Japan was entrusted with the task of constructing a new Far East "the actual fighting has just started." By the end of 1940 the idea of a new order in East Asia had progressed and developed to the point where the Japanese Government openly admitted it was determined to secure for Japan the position in "greater East Asia including the South Seas" to which it considered itself entitled as a result of its growth as a first-class power in the modern world, and which would remove the territorial and economic restrictions previously hampering it.

In making the representations, protests and objection on behalf of the American Government, as herein set forth, I was always dealing with the Japanese individual or individuals who, as the official records of the Japanese Government will

show, were filling the indicated civil office in the Japanese Government at that time. In most cases I took up the matter in question with the Japanese Minister for Foreign Affairs; some were referred to the Vice-Minister for Foreign Affairs, and some to responsible subordinate officials of the Foreign Ministry; and a few cases were referred to the Prime Minister. The matters herein related constitute a small, but representative, proportion of all those which occurred during my Ambassadorship. At the end of 1938 over 400 separate protest had been filed by me and the number of instances of depredation against American property, discriminations against American business men, and endangering of American lives by the Japanese in China was steadily increasing and continued to do so until the end of my term as Ambassador.

/s/ Joseph Clark Grew
JOSEPH CLARK GREW

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28TH DAY OF MAY, A.D.
1946.

/s/ Edgar M. Ford

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極東國際軍事裁判所
亞米利加合衆國、中華民國、大不列顛北愛蘭聯合
王國、ソビエト社會主義共和國聯邦、濠洲聯邦、
加奈院、佛蘭西共和國、和蘭王國、新西蘭、印度
及比律賓國

對

被告一 荒木貞夫、土肥原賢二、橋本欣五郎、畑俊夫、
平沼騏一郎、廣田弘毅、星野玄樹、板垣征四
郎、實業興宣、木戸幸一、木村兵太郎、小磯國昭
松井石根、松岡洋右、南次郎、武藤章、永野
修身、岡敬純、大川周明、大島浩、佐藤實了、
重光葵、嶋田繁太郎、白島敏夫、鈴木貞一、
東鄉茂徳、東條英機、梅津美治郎

米國 エロヒヤ地區 アニソン市
余、ジョセフ クラーク グルーハ宣誓シ
所ニテ次ノ如ク證言スル

9x 1105

No. 1

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私ハ一九三三年ノ六月カラ、一九四一年十二月七日ノ日本
ノ真珠湾攻撃マデ東京ニ於ケル駐日米大使ト
シテ勤務シタ。

外交ハ一九〇四年以來、私ノ畢生ノ事業デナック。
世界大戦ニ先ダテ、私ハ米外交官トシテ埃及、メ
キシコ、ロシア、オーストリー、ハンガリー、獨逸
ニ勤務シタ。第一次世界大戦ノ時ハ私ハベ
ルリンニ於ケル米國大使館書記官デアツタ。一九
一八年ニハ私ハ米國ノ務省西ヨーロッパ部ノ部
長代理トナツタ。私ハ巴里ノ平和會議ニ参加シ
又一九三二年ロザニヌニ於ケル土耳其ト、會議ニ
米國ヲ代表シタ。又私ハデマーク及ビスイスニ米國
公使ヲ勤メ又國務次官トシテ又東京勤務ヲ命
ゼラル直前ニトルコ大使ヲ勤メタ。

以下ニ陳ベルステートメントハ私ガ日本ニ於ケル
米國政府ノ外交代表トシテ東京ニ於ケル私ノ義
務ヲ遂行シツ、アリシ事ニ関聯シ時々ニ起ツタ事
柄ニ関スルモノデアル。ソレデ私ハソレ等ガ真実
デアルコトヲ言明スル。

上述セル如ク、私ガ駐日大使トナツタ時ニハ日本
ハ米國及其他ノ國々ト共ニ下記ノ條約、協約、
協商其他ノ當事者デアリ、亦ハソノ中ニ聲明
サレタ原則ニ對シ署名シテ居タノデアル。

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No. 3

- 一、一九一九年七月二十九日、ヘーグニ於テ署名サレタル「國際紛争ノ平和的解決ニ関スル會議」
- 二、一九〇七年十月十八日、ヘーグニ於テ署名サレタル「國際紛争ノ平和的解決ニ関スル會議」
- 三、一九〇七年十月十日、ヘーグニ於テ署名サレタル、ヘーグ會議ノ第一、――、戦争ノ開始ニ関スル項。
- 四、一九〇八年十一月三十日、署名サレ、日米間ニ覺書ヲ交換セルニ依リ、効力ヲ発シタル「極東ニ於ケル彼等ノ政策ニシテ宜言セル協商」。
- 五、一九二二年十二月十三日、英聯邦、佛蘭西、日本及米國ノ間ニ「太平洋ニ於ケル嶼嶼ノ所有及其ノ統治權」ニ関シ（取極メラレタル）協商。
- 六、一九三二年二月文日、ワシントンニ於テ締結サレ署名サレタル所謂「九ヶ國條約」
- 七、一九二八年八月二十七日、パリニ於テ締結サレ署名サレタル所謂「ケロゲーブリアン協約」
- 八、一九〇七年十月十八日、ヘーグニ於テ署名サレタル「地上戦ニ於ケル、中立國及ビ國民ノ權利義務ヲ定ムル會議」
- 上記ノ條約、協商、協約其他ノ當事者トシ

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テ又其ノ中ニ聲明サレタル原則ニ對スル署名者
ニテ日本ハ次ノ他ノ事柄ニ同意ニタデアル。即チ、
國際間ノ不和解決ニ武力ノ使用ヲ避ケルヲ、
又ハソレ以上ノ友好國ノ仲リ求ハ親善ニ依頼スベ
キ紛争又ハ深刻ナ不一致ノ場合ハ、宣戰、布告
ナシニ戰爭ヲ開始シテハナラス。國際間ノ紛議
ハ仲介ニ委ヌベシ。支那ノ領土ノ政治的保全、獨立
及主權ノ面ニ重ト援助。支那全領土ニ連ジ、凡エ
ル國々ノ商、工業ニ對スル機會均等、原則ヲ
有効ニ樹立シ維持スル如クソノ影響カラ用ヒル
コト。

第三國其ハソノ國民ニ有患ナル、特權求ハ獨立の特
惠ヲ支那ニ於テ求ルコトヲ差控ヘル事。國策
ノ手段トシテ、戰爭ノ抛棄、中立國ノ領土ヲ
侵犯セザルコト。

私ガ上述ノ如ク大使トナツタ時ハ、日本ハ滿洲ノ軍
事的支配ヲ握リ、ソコニ日本ニヨリ統制サレタル傀
儡滿洲國ヲ建設シラサタ。

滿洲事情ニ附テノ米國々務省ノ公式記録ハソレニ附
テハ私ハ熟知シテ居ルデアルガ、日本ハソノ侵略的行爲
ハ日本ノ條約義務違反ナリトスル米國及ビソ
ノ他ノ國々ノシバシバノ抗議ニモ不拘、滿洲ニ於
ケル行動ノ筋書ヲ遂行シタ事ヲ指示シテ居ル。
國務省ノ公式記録ハ更ニ、日本ガ一貫シ

NO. 4

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ソノ侵略的行為ヲ辯護シ、日本國民ノ保護、タ
メノ軍ナル自衛手段アリ、決シテ領土の野心
ナキ事或ハ支那ニ於ケルハ三國ノ權益ヲ妨
害スル意思ナキ事ヲ繰返シテ米國政府ニ保
証シタルコトヲ指示シテ耳。

米國大使トシテ東京ニ在リシ全期間、私ハ日本
外相ニ時々シテ自相ニ、又當時、官吏ニ對シ、
米國政府ハ日本ノ支那ニ於ケル軍事行動ヲ
前述セル支那ノ領土保全、尊重、支那ノ門戶解
放原則、維持、米國及ビ其他、國民、生命財
産ニ危害ヲ與ヘサルコト、紛争解決ニ武力ヲ行
使セサルコト、紛争ハ調停ニ安ネシヨリ生ズル
結果ヲ守ル等ノ各種ノ條約、協商ニ對シテ義務
侵犯ナリト思考スルヒ日ノ事實ヲ繰返シ注意ヲ
喚起シタ。

私ハ日本ハ其ノ侵略政策トシ、軍事力過大トニ
因リ、急速ニ米國政府、米國民及ビ世界、人々ノ
同情ヲ失ヒツ、アルヒ日ヲ指摘シタ。辯解ハ、ソノ
軍事行動ハ軍ニ支那政府が統御得テイ非賊、
共產黨員ニ對スル自衛手段アリ、又無責任ナ
ル支那政府ニ依リ惹起セタル計畫的及日感情カラ、
悪用サレタル、支那ニ於ケル日本國民及ビソノ
利益ヲ保護スルタメトイフニアツタ、私ハ當時路
ノ官吏ニ依リ、日本ハ支那ニ於テ領土の野心ナキ

No 5

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NO 6

事、日本、其第三國、權益ヲ配シナリ、ソノ等ヲ
守ルタメ又現狀ヲ維持スル爲、執心ニ努力シ日本
ハ日ヲ繰返シ保証サシタ。ソレヲ日本ハ支那ニ
於ケル門ヲ解放ノ原則ヲ維持スベク考慮シ
テ亦ハ自一九三八年末迄保証サシテ亦タノデ
アル。

私ハ支那人及び外國人、非戰鬥員、生命財産ニ危
害ヲ加ヘル非軍事的目標ニ對スル無差別爆撃ニ
對シ繰返シ抗議シタ。日取モ甚クシキ事例、若干ハ、
揚子江ニ於ケル米艦バネー號、爆撃及撃沈デアリ
其、中ニアウタニ人ノ米國人ハ殺害サレ、又ニ陸セント
ニツ、アリシバネー號艦長及其他、者、小艇
ニ對スル機銃掃射デアル。又重慶ニ在リシ米艦
トウトウイニ對スル計畫的爆撃デアリ金々不充
分ナル警告ノ後、無謀ニテ亂暴ナル南京住宅
街、商業街、爆撃ヲアリ上海共同租界ヲ騎馬ニ
テ通行中、五名ノ米國民ニ對スル一日本機、機銃
掃射デアリトシペニ在ル米國教會資産、爆撃
デアリ、ソノ中ニ在リシ米國人「ブベニアス」ハ殺サレタ
ノデアル。又日本飛行機ニ依ル中華航空會社
所屬輸送機、破壊デアリ（右ニハ汎米航空會
社ガ大ナル利害ヲ有スル）、ソノ結果数名、非戰鬥
員タル旅客ガ殺害セラレ、而シテ米國操縦士ニ生
命、危險ヲ加ヘ、更ニ又日本飛行機五機ニ依ル他

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ノ正シク標識ヲ附シ「チャニイ」ニ着陸シタハカリ、中華航空會社商業旅客機、破壊ハシ、中、操縦士ヲ殺害シ、前ノ回、爆撃後、重慶、米國教會、爆撃並ニ完全ナル破壊等之等、各利個抗議ノ主題トナツタ。教會、學校其他米國資産、度重タル爆撃破壊、多クノ实例ハ、ソレ等、攻撃ガ計畫的デアツタト結論セサルヲ得ザラシメタノデアル。更ニ殆んどノ場合日本人ハ事前ニ問題ノ資産、位置ヲ標示セル地圖ヲ有シテキタノデアル。事実ニベテノ实例ニ於テ日本政府ハ、ニノ口實、トニ責任ヲ否認シ他ノ物、中ニ於テソノ資産ハ軍事目標ニ余リニ近ク接近シテキタトカ又ハ支那人ニ依リ使用サレテキタ（コノ辯解ハ調査ニヨリ公テニサレタ事実ニヨツテ否認セラレタカ）トカ或ハ飛行機、投弾機構ガ明クニ正シク機能シタツタトカ又ハ単ニ誤テデアツタト主張ニテキタノデアル。

No 7

和ノ抗議ニモ不拘、南京方面、戦闘終了後ト雖モ米國經濟人並ニ宣教師達ハ早急ニ南京へ歸ルコトヲ阻止セラレテキタ。例ヘハ上海大學ハ早速ニ日本ガ撤退ニタカ、ソレヲ所有シテキタ米國宣教師協會ハ、ソレ以上ノ惡化ヲ防止スル目的ノタメニ早急ニ再ヒ占居

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スルコトハ許サレナクツタ。ソレ等ノ場合、歸ル
事、は事ヲ開始スル事、或ハ彼等ノ財産ヲ維持シ
又ナル事ノ許可ヲ米國民ニ拒否ミナガラ、辯解ハ
平和ト秩序ノ回復ハ不充分デアルトイフデア
タ。此ノ辯解ニハ如何ナル根據モナイ事ハ問題、
地區ニモフノ日本商人及彼等ノ家族ガ居タトイ
フ事ニヨリ寧ニ説明ガツイテナタ。

一九三四年七月七日、私ハ日本外務省ニ對シ滿洲
ニ於ケル官憲ニヨル石油ノ差別的專賣機關ニ
附テノ覺書ヲ提出シタ。

米國石油會社ノ生産品ヲ販賣スル事ニ對シ滿洲
ニ於テ門戸ヲ閉鎖スルノデアラウ此ノ計畫ニ對ス
ル日本政府ノ協力及承認ノ事實ニ附、注意
ガ喚起セラレタノデアル。即チソレハ門戸解放
ノ原則、ソレニ對シ日本ハ侵犯ミテナルノデアルガ
ヲ犯ステアラウ事、更ニ右計畫ハ一九三三年ノ
九ノ國條約ノ第三條ノ規定並ニ一八八四年ノ米支
條約ノ明白ナル條項ニ違反スル事ヲ支持スルデ
アラウト言明シタ。一九三四年八月二日附、右ニ對スル

No 8

回答ニ於テ日本外務大臣ハ滿洲國ガ獨立國トナ
テカラハコノ問題ハ米國政府及滿洲政府ニ關
スル問題デアルト述ビ、日本ニ依ル如何ナル條約義
務違反モ含ミテナイト、否定シタ。

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No 9

私、再び日本外務大臣ニ非公式覺言ヲ送り、右計畫ハ疑ヒナク米国民ノ條約權ニ對シ偏頗ヲ独立ノ結果ニ而シテ内戸開放ノ原則ニ反シ、又右計畫ガ半官的機關、即チ南滿洲鐵道株式會社ノ參加、日本国民ノ協力ト贊意ニ依リ、或ハ又日本政府ノ同意ト定認トニ依リ立テラレ、中ニカラニ右計畫、遂行ハ日本ノ條約義務違反アリ、並ニ米國及其他ノ政府ニ對シ從前與ヘタル無資格ナル保証ニ對シテ違背ナル旨指摘シタ。

日本ガ滿洲ニ於ケル内戸開放ノ原則、維持ヲ所謂滿洲國獨立政權ノ樹立後モ保証シタ事、又是等ノ原則、維持ガ、一九三三年八月二十五日ノ議會ニ於ケル内田伯及外相演說中ニ於テ約束シタ事、及ビ一九三三年九月十五日滿洲國承認ノ際、発スラタル日本政府ノ公ノステートメント中ニ於テ約束シタ事ハ勿論否定スベカラザル所ナル。受ニ一九三三年九月十五日ノ日滿議定書ハソレ自身滿洲國ノ國際的義務ヲ當領主ニ適用スルニ違背ニ違ハズ、即チ次節ニ示セル議定書前文ハ次ノ如クデアル。

滿洲國ノ支那ニヨリ加入セルスベテノ國際協商國等スルノ意思ヲ宣言セル故ニ、ソノ限リニ於テソレハ滿洲國ニ適用セラルベシ。

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No 10

ソレ故ニ私八九三四年十月三日更ニ他ノ覺書ヲ外務大臣ニ送リ、保納
義務(私)交アリ、及對ノ保証、破棄アリ、所ノ滿洲ニ於テ北滿鐵道
實權ニ際テ、從來ノ抗議路線又、又、同一問題ニ関シ、私長男ニ書リ
廣田氏ニ討議セタ。
彼ハ米國人ハ石油會社ノストックヲ購入スルハ自由ナル故、内ハ彼等ニ
対シ、鐵道ノストックヲ上列セタ、然レ、名ガ彼ニ通告セ、知リ、事實長ニ於テ不
公平ノ四〇%ハ半官的、日本機關、上滿洲鐵道、二、二〇%ハ滿洲國政府
ニ而シ、十四%ハ全國、日本商社ニ配給セ、トテ升タ、トテ、
廣田氏ハ然ラ、及、英國ハ余リ、モ法律的態度ヲ取リ、ス、タ、タ、タ、タ、
者(北滿)又、討議ハ三十分ニ書リ、鐵道ノストックガ大臣、議論ハ九
テラ、主事、ミ、ミ、私ニト、ソ、ハ、明、カ、ヲ、擲、エ、ト、所、ガ、ナ、タ、
五、三、五、年、四、月、十、日、日本外務大臣ハ、一九三四年十月三日、私、覺書
ニ對シ、滿洲ノ石油恩ニ関シ、滿洲國政府、行為ニ際テ、日本政府
責任、從來カ、ナ、在、定、ニ、関シ、南、申、請、ヲ、ス、同、答、ヲ、送、リ、タ、タ、
私ハ、ノ、内、容、ヲ、米、國、政、府、ニ、通、報、セ、タ、
而、シ、國務院、長、官、訓、令、ニ、基、キ、一九三五年四月十五日、陸、覺、書、ヲ
以、テ、日本ニ、ヨ、リ、送、リ、タ、タ、シ、論、爭、ヲ、米、國、政、府、ハ、承、知、セ、タ、タ、
此、ニ、米、國、權、益、損、傷、ノ、責任ハ、公、第、極、ニ、於、テ、日本ニ、掛、カ、レ、タ、
ア、タ、ト、ス、米、國、見、解、——→ 以下、次、頁、ニ、續、ク、

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日本外務大臣ニ忠告シテ。
一九三五年四月十六日私、日本外務大臣ヲ訪
シ日本、條約義務並ニ、則同ニセル保證(特ニ同
視セル)即チ開校、原則、維持セリ。日
、保證ニ對シ違反シアリトナス米國、見解
ヲ兩ニ指摘シテ、彼、單ニ是等、保證、權
益ヲ有スル國々、ト滿洲國承認ヲ條件ト
トテアヘタル。ト云ヘタ。

一九三五年十二月一日、私、日本人以外、外國人、
治外法權ニ関スル滿洲國政府發行、宣言書
ノ問題ニ附テ、又、此、ニ於ケル米國銀行支店ガ登
録ヲナス、且、代表者ヲ任命スルコトヲ勸告
セル法律、公布ニ關シテ、日本外務大臣ニ抗議
ヲ提出シテ。而シテ私、滿洲ニ於ケル米國民、治外
法權、米、支兩國間、條約ニヨリ、支配セリ。事
實ニ對シ、且、又滿洲國政府ガ米國民ニ對シ、主權
國權ヲ主張スル事ヲ求メタル法律、直接ニ米
國、條約權ヲ侵害スルモノナル事ニ對シ、注意
ヲ喚起シテ。外務大臣、返答、滿洲國政府、行
爲ニ附テ、日本側ニ、何等ノ責任ヲ負フモノナ
ク認セリニ止マシ。

No 11

滿洲、石油、煤、場合、如ク、私、日本人ニヨリ上海、
廣東、汕頭及其他、場所ニ於ケル稅關行
政、引續ニ關シ、且、又日本人、輸入ニ好會セリ。

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開税ヲ改訂スル事ニ関シ、且、避税ニ抗
議ヲ提出ス。又、私ハ塩税管理、取上、除吏ニ
國債ガ開税收入並ニ塩税收入ヲ担保トシ居
事、米國及其他、國々、支那海關、官理、及塩行
政、保全ニ附テ、重大ナル財政的利害ヲ有、收入
ノ變更如何ナル條規、手續、變更改ニ関シテモ
商議ニ與ルキ資格アリ、日指摘シ、テ、是
等、抗議、一向收立タズ、也、場合同様、日本
外務大臣及、他、官吏等、ハ、右、并、毀、軍事
上、ノ、必要ニヨリ要求ニ依リ、且、又、支那官吏
モ亦協力ス、テ、ア、ラ、ント、事實ニヨリ採ラ、タ
ル、日主張シ、タ。
其、他、後ニ至リ違反セ、タ、ル、保証ニ、下、和、通
シ、又、日本政府ニヨリ新聞紙上ニ、ハ、サ、ル、ス、テ
一、ト、ハ、ト、ニ、依リ、米國政府ニ、異、ハ、ツ、ル、天、ノ、
实例、ハ、次、也、ラ、テ、ア、ル。

No 12

一九三四年四月二五日、日本外務大臣(廣田)ハ、個
人的ニ利ニ對シ、日本、如何ナル特權ヲ、又
那、ニ對シ、求、メ、ル、意思ヲ、有、セ、ザ、リ、シ、ト、宣
那、領土行政保全、糧食、意思、ハ、カ、リ、シ、ト、宣、命
ニ、於、ケ、ル、他、國々、ノ、意思、通商ニ對シ、困難ヲ
生、セ、シ、ル、意思、ハ、カ、リ、ラ、ト、宣、話、シ、タ。
彼、に、更、ニ、日本國ニ、ハ、九、國、條、約、ノ、署名、名、國、ガ
資格ヲ、有、ス、ル、權利、並、ニ、責任ヲ、減、損、ス、ル、特權

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三

13

的地位ヲ主張スル、意思キコトヲ述べ又日本、政策ハ凡ニル點ニ於ケル九ヶ國條約、條項、完全ニ遵守ニテルコトヲ述べ。松ハ彼ニ對シ米國政府並ニ米國民ハ是以上具體的證據ニヨルヨリ政策、ステートメントニ依ルガ感銘ガ少イテアヲト述ベリテア

一九三七年九月一日、外務次官(堀内)ハ對米放送ニ於テ支那、反目的行爲、理由ヲ以テ日本、行動ヲ辯護シ日本、意思ハ平和的ニ主張セタ。彼ハ現在、北支及ヒ上海ニ於ケル戰鬥、終局、目的ハ兩國間ニ真、協力ヲ許シ合ス狀態ヲ實現スニ在ルト述べ。而シテ支那ニ派遣セラル日本軍ハ侵略的目的、タタニ送ラレタルモノニ非ズ又日本ハ領土ニ的欲望ヲ有セザル旨述べ。堀内氏、ラヂオ放送演説、其後議會ニ於テハシタル外務大臣廣田、演説並總理大臣近衛、演説ト同一デタ。

一九三九年三月十六日、外務大臣(有田)ト會見ニ於テハ日本ガ支那ニ對シ領土野心ヲ有セザル旨、從前、ステートメントニ付想起ヲ促シタ。本、最近、日本軍ニ依ル海南島、占領ニ付彼、注意ヲ喚起シタ。而シテ石島、多ク、米國所有、教育施設、教會、

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施設、米國住民が在る事實、鑑、同島を領
関する日本政府、意思、付て設けよう要求
す。大臣は領、目的、南支那海岸、封鎖
ヲ強化、蔣介石政権、打倒するべきを在
ト答へる。

彼、日本、支那、對、領土的野心有せし
後、ステートメントヲ發表、自ら領、軍
事的必要以上、あると附ケ加へる。

一九四〇年四月十五日、外務大臣（有田）ハ
歐洲戰、ネザーランド（和蘭）、包含す
ル可能性並ニ蘭印ニ於ケル、及影響、関与、
日本、地位、付て新聞記者、質問、答へて、
「日本政府、蘭印、現状維持、影響、受
る予う戰爭、激発、伴、如き如何ナルヨリ
口ハ、展開、又、涉、関、心ヲ有セザルヲ得ナ
イト述べる。

一九四一年七月、日本外務大臣、日本ハ口
ヲ對する戰爭、参加スルコト、考へて平々
自保、記す。其、日、間、松、日本首相
ニ對し、覺書ヲ送、日本ハ對露戰爭、立入
事、付て何等、真実、報道、キ事、又日本
責任、官吏、日本、太平洋方面、平和維
持ヲ希望スル旨、同時、ステートメントニ

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15

付テ米國政府、希望ヲ開陳シタ。右ニ對スル
回答、日本外務大臣カウエツウサレタガソレハ次、
ヤク述ベウレテアツタ。
大平洋、平和、維持並ニ保持ニ常ニ熱心ナリ且
眞實ニ日本政府、願ヒテアツタ。日本政府
ハ常ニソノ目的ヲ達成セシメ熱心ニ努メカ
タリテ来ツタ。而シテ對シ聯戰事ニ卷カス
ル可能性ニ付テ今迄考慮シテ来ナリ。ト
一九三八年中ニ東亞新秩序、建設カ記録サ
レニテ来ツタ。首相並ニ外務大臣、
支那ニ於ケル滿洲カウ北支更ニ中支ハ及
ビ南支ハ、軍事行動、發展ニ言及シ、日
本ト協カスル支那政權、出現ニ對スル希望ヲ
把握シタ。然レテ今一第三國、權益ヲ保護ス
ル事、門戶解放政策、継続意思、例、カキ保
証ヲ繰返シテ来ナリ。其後、外務大臣ハ、支
那ニ於ケル戰鬪、終局ヲ行ハシデアラウ。
假令其將介石ハ平和ヲ所求スルトモ相平ニ
セデアラウト述ベ、而シテ意味有リケニ、
「軍事行動、主目標ガ或ニ種、經濟的並
社會的ニ日支間、協カニアルカラニハ、領土
ハ日本、モ、デアリカ支那、モ、タルカハ、わサナ
問題ニスギナイト指サシ、支那ハ、ソノ國

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No. 16

内、不平等條約並に治外法權、徹廢するを得る如く、強カトナラヌハナラヌト指示シテアル。而して一九三八年十一月ニ、日本お務省、廣東及び武漢三鎮、陥亡ヲ声明シ、又ハテ、重要ナル支那、地區、斯うシテ我々、手中ニ落ケタト述べる。第三國、權益付テ、何事言及ス、ソノステートメント、單ニ、東亞ニ於テ行ハツ、アハ新條件、第三國、彼等、應ラ適應セシメテラウトイフ日本、自信ヲ表示シタニスギナクタ。然レ乍ラ日本國民、是等、勝利ガ平和ノ時代ヲ招来ス、モ、非ス、寧ロ日本ガ新東亞建設、課題ヲ得セリタカハ、新キ戰、心ニ始リテアル。ト警告ガサレテキタ。一九四〇年末迄、新東亞思想、日本政府ガ唯カ「南洋ヲ包含スル大東亞」中ノ日本、地位ヲ確保セシト決心ス、至リ迄進歩シ發展シタリテアル。

「南洋ヲ包含スル大東亞」ニ對シテ、日本、自身近代的世界ニ於テ、三國ニ成長セシ結果トシテ、實ニ及ビ、ト考ヘ、シテ後ガ障礙ヲ加ヘ、アツテ領土、的、經濟、的、利、的ヲ除キセシタリテアル。

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米國政府ニ代リ茲ニ述ベルに如ク言明又ハ抗議ヲナスニ當リ
 私ハ常ニ多ク、日本、他人ト交渉スル、
 ソノ事、人々ハ日本政府、正式記録が示ス所ニテ、如ク當時、
 且日本政府、指示セル不スル交々ニテサリ、
 多ク、場合私ハ同殿、事柄ヲ日本外務大臣ト交渉スル、
 時トニテ外務次官而シテ又或ニ兼任アル外務省、従属的官吏ニ
 内合セテナシタ事モアリ、
 然レ首相ニ同合セタ事、殆トナカシ、茲ニ述ベタ事柄ハ、
 今レが私が大使トシテ、向ニ赴ツタス事共、代表的ト被命アリ、
 元三八年未ニハ四〇〇必エ、別々、抗議ヲ私ハ提出スル、
 ソニテ多ク、米國の真意ニ對スル掠奪事件、实例が米國經濟
 人ノ生業ニ對スル危害ガ又米國人ニ對スル差別(差別)が次々
 ト増加シツアリ而シテ私ハ大使トシテ、期間、終リタソハ
 續イタデアル、

シヨヤフクフーケブル

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西紀一九四五年五月廿八日余ノ前ニ於テ一日五時廿分且シ番
 名サレタリ、

エドガ、エム、ノード